

REMARKS

Claims 1-33 remain in this application. Claims 7, 8, 11, 12, 18, 19, 22, 23, 28, 29, 32 and 33 have been withdrawn from consideration.

Claims 1, 3, 13, 14 and 24 have been amended to further differentiate the present invention from the prior art. The specification has been duly amended to support these claim amendments.

Claims 3-5, 15, 16, 25 and 26 have been amended to address perceived informalities in those claims.

No new matter has been added by these amendments, full support for these amendments being found throughout the originally-filed specification, claims and drawings.

Claim Objections

Claims 3-5, 13, 15, 16 and 24-26 are objected to because of various informalities. By the amendments herein, each of the perceived informalities have been addressed. Accordingly, applicants request that the claim objections be withdrawn.

Rejections Under 35 U.S.C. § 102

Claims 1-4, 13-15, 24 and 25 are rejected under 35 U.S.C. § 102(b) as being anticipated by Dencker (U.S. Pat. No. 6,039,392). In view of the amendments made to the claims herein, applicants respectfully traverse these rejections.

After the amendments herein, all of the claims are now limited to embodiments wherein the seating surface can be vertically adjusted independently of the distance between the rearward edge of the work surface and the forward edge of the seating surface, vice versa or both. Dencker teaches a chair and desk combination wherein adjustments to the height of the seating surface necessarily adjusts the distance between the rearward edge of the work surface and the forward edge of the seating surface. In the Dencker chair and desk combination, the distance between the rearward edge of the work surface and the forward edge of the seating surface necessarily narrows as the height of the seating surface is adjusted upwardly. This obviously poses a problem for an individual who is tall but relatively thin. The invention of the present application solves this inherent problem in Dencker by allowing for the independent adjustment of the seating surface height and the distance between the rearward edge of the work surface and the forward edge of the seating surface. Since none of the claims can now be said to be anticipated by Dencker, the rejections of claims 1-4, 13-15, 24 and 25 under 35 U.S.C. § 102(b) should be withdrawn.

Rejections Under 35 U.S.C. § 103

Claims 5, 6, 16, 17, 26 and 27 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Dencker in view of Merrill (U.S. Pat. No. 2,168,910). Claims 9, 10, 20, 21, 30 and 31 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Dencker in view of Merrill and further in view of Maloney (U.S. Pat. No. 5,507,550). In view of the amendments made to the claims herein, applicants respectfully traverse these rejections.

As discussed above, each of the claims are now limited to chair desk combination wherein the seating surface can be vertically adjusted independently of the distance between the rearward edge of the work surface and the forward edge of the seating surface, vice versa or both. None of the references cited herein teaches, discloses or fairly suggests a chair desk combination having these features. In fact, the present rejections under 35 U.S.C. § 103 now lack a *prima facie* case of obviousness. Accordingly, applicants respectfully request that the rejections under 35 U.S.C. § 103 be withdrawn.

CONCLUSION

For the reasons set forth above, applicant respectfully submits that all of the claims remaining in the application are now in condition for allowance. Accordingly, reconsideration, reexamination and allowance of all claims is requested.

Respectfully submitted,

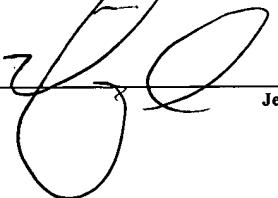
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I hereby certify that on May 31, 2005, I deposited with the U.S. Postal Service this package, addressed to the COMMISSIONER FOR PATENTS, P.O. Box 1450, Alexandria, VA 22313-1450.



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